



# COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY Includes Reference to Provisional and PCT International Applications)

Attorney's Docket No.

				031330-007
N/IV recidence	noct office addr	hereby declare that: ess and citizenship are as stated t and sole inventor (if only one r w) of the subject matter which is	below next to my name; name is listed below) or an origi cclaimed and for which a patent	nal, first and joint inventor is sought on the invention
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the s	specification of wl	nich (check only one item below)	):	
	is attached here	to.		
X	was filed as Un	ited States application		
		uation-In-Part of 09/160,351		
	on <u>June 28, 2</u>	001		
	and was amende			
	on <u>June 28</u>	, 2001	(if applicable).	
	was filed as PC'	$\Gamma$ international application		
	on			
	and was amende	ed		
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I acknowledge 37, Code of F	e the duty to disclo ederal Regulation	ose to the Office all information is, §1.56.	known to me to be material to p	atentability as defined in Title
of America lis international a subject matter	ted below and hav pplication(s) design having a filing da	te before that of the application(	is) designating at least one count ign application(s) for patent or i than the United States of Amer s) of which priority is claimed:	ry other than the United States nventor's certificate or any PCT ica filed by me on the same
PRIOR FORE	IGN/PCT APPLI	CATION(S) AND ANY PRIOR	ITY CLAIMS UNDER 35 U.S	.C. §119:
COL	JNTRY licate "PCT")	1	DATE OF FILING	PRIORITY CLAIMED
(11.101,1110	icate FCT)	APPLICATION NUMBER	(day, month, year)	UNDER 35 U.S.C. §119
				Yes No
				_ Yes _ No
				_ Yes _ No
	·			_ Yes _ No
hereby claim	the benefit under	Title 35, United States Code § 1	19(e) of any United States prov	Yes No isional application(s) listed
ciow.				
	60/060,062		September 25, 1997	
	(Application Nu	mber)	(Filing Date)	
	(Application Nu	mber)	(Filing Date)	

COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY (CONT'D) (Includes Reference to Provisional and PCT International Applications)

Attorney's Docket No.

031998-007

I hereby claim the benefit under Title 35, United States Code, §120 of any United States applications(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose to the Office all information known to me to be material to the patentability as defined in Title 37, Code of Federal Regulations §1.56, which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. §120:

U.S. APPLICATIONS					STATUS (check one)		
U.S. APPLICATION N	IUMBER	<del></del>	U.S. FILING DATE	PATENTED	PENDING	ABANDONED	
09/160,351		<del></del>	September 25, 1998		X		
			**************************************			<u> </u>	
PCT /	APPLICATIONS DE	SIGNATING	THE U.S.	<u> </u>		<u> </u>	
PCT APPLICATION NO.	· PCT FILING	DATE	U.S. APPLICATION NUMBERS ASSIGNED (if any)				

I hereby appoint the following attorneys and agent(s) to prosecute said application and to transact all business in the Patent and Trademark Office connected therewith and to file, prosecute and to transact all business in connection with international applications directed to said invention:

William L. Mathis     17,33       Robert S. Swecker     19,88       Platon N. Mandros     22,12       Benton S. Duffett, Jr.     22,03       Norman H. Stepno     22,71       Ronald L. Grudziecki     24,97       Frederick G. Michaud, Jr.     26,00       Alan E. Kopecki     25,81       Regis E. Slutter     26,99	James W. Peterson Teresa Stanek Rea Robert E. Krebs William C. Rowland T. Gene Dillahunty Patrick C. Keane B. Jefferson Boggs, Jr.	30,505 Bruce T. Wiede 26,057 Todd R. Walter 30,427 Ronnis S. Jillion: 25,885 Harold R. Brow 30,888 Allen R. Baum 25,423 Steven M. duBc 32,858 Brian P. O'Shat 32,344 Kenneth B. Left 25,952 Fred W. Hathay	rs s vn 1 ois ugh Thei
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Todd R. Walters Ronni S. Jillions 34,040 31,979 Harold R. Brown III 36,341 Allen R. Baum 36,086 Steven M. duBois 35,023 Brian P. O'Shaughnessy

33.815

Kenneth B. Leffler Fred W. Hathaway 36,075 32,236 Wendi L. Weinstein 34,456 Mary Ann Dillahunty 34,576

Heriji ji ki bililah 21839

and: Malcolm K. McGowan, Ph.D., Reg. No. 39,300

Address all correspondence to:



21839

Teresa Stanek Rea, Esq. BURNS, DOANE, SWECKER & MATHIS, L.L.P. P.O. Box 1404 Alexandria, Virginia 22313-1404

Address all telephone calls to: Malcolm K. McGowan, Ph.D.

at (703) 836-6620.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF SOLE OR FIRST INVENTOR SIGNATURE 05/06/03 Gregory D. MAY

Page 2 of 3

(01/01)

## COMBINED DECLARATION FOR PATENT APPLICATION & POWER OF ATTORNEY (Includes Reference to Provisional and PCT International Applications) Supplemental Sheet Attorney's Docket No. 031998-007

RESIDENCE		CITIZENSHIP	
Ardmore, Oklahoma		U.S.	
POST OFFICE ADDRESS		0.3.	
312 F Street S.W., Ardmore, Oklahoma 73401			
FULL NAME OF SECOND JOINT INVENTOR, IF ANY	SIGNATURE		DATE
Stephanie K. CLENDENNEN			D
RESIDENCE	<del></del>	CITIZENSHIP	
Portland, Oregon		U.S.	
POST OFFICE ADDRESS		0.5.	
8640 S.W., 89th Avenue, Portland, Oregon 97223			
FULL NAME OF THIRD JOINT INVENTOR, IF ANY	SIGNATURE		DATE
Hugh S. MASON			22
RESIDENCE	<del></del>	CITIZENSHIP	
Ithaca, New York		U.S.	
POST OFFICE ADDRESS		0.0.	
1311 Hanshaw Road, Ithaca, New York 14850	_		
FULL NAME OF FOURTH JOINT INVENTOR, IF ANY	SIGNATURE		DATE
Miguel a. GOMEZ LIM			
RESIDENCE		CITIZENSHIP	
Guanajuato, Mexico		Mexican	
POST OFFICE ADDRESS			
Roma 186, Lomas del Pedregal, Irapuato, Guanajuato, Mexico 36	3670		
FULL NAME OF FIFTH JOINT INVENTOR, IF ANY	SIGNATURE		DATE
Charles J. ARNTZEN			
RESIDENCE		CITIZENSHIP	
Mesa, Arizona		U.S.	
POST OFFICE ADDRESS			
88 Leisure World, Mesa, Arizona 85206			

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Attorney's Docket No.

031998-007

As a below named inventor, I hereby declare that: My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

#### DNA REGULATORY ELEMENTS ASSOCIATED WITH FRUIT DEVELOPMENT

the specification of which (check only one item below):

is attached hereto.

G X was filed as United States application

Number Continuation-In-Part of 09/160,351

June 28, 2001

and was amended

June 28, 2001

(if applicable).

was filed as PCT international application

Number

on

and was amended

(if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, '119 (a)-(e) of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

PRIOR FOREIGN/PCT APP	PLICATION(S) AND ANY PRICE	ORITY CLAIMS UNDER 3	35 U.S.C. 1119:			
COUNTRY (if PCT, indicate "PCT")	APPLICATION NUMBER	DATE OF FILING PRIORITY CLAIMED (day, month, year) UNDER 35 U.S.C. '119				
	·		_ Yes _ No			
			_ Yes _ No			
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			_ Yes _ No			
			_ Yes _ No			

I hereby claim the benefit under Title 35, United States Code ' 119(e) of any United States provisional application(s) listed below.

> 60/060,062 (Application Number)

September 25, 1997 (Filing Date)

(Application Number)

(Filing Date)

### COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY (CONT'D) (Includes Reference to Provisional and PCT International Applications)

Attorney's Docket No. 031998-007

application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, '112, I acknowledge the duty to disclose to the Office all information known to me to be material to the patentability as defined in Title 37, Code of Federal Regulations '1.56, which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. '120:

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I hereinneponne the following attorneys and a seint with the said appropriation and to bruns act and success in the Patents and 1971 to the said investigation with and 1971 to the said investigation with international states. The said investigation with international states and to transact all business of the said investigation with international states. application directed to said invertion: Robert E. Krebs William C. Rowland 25,885 Harold R. Brown III 36,341 Norman H. Stepno 22,716 30,888 Allen R. Baum 36,086 Ronald L. Grudziecki T. Gene Dillahunty Patrick C. Keane 25,423 Steven M. duBois 35,023 Frederick G. Michaud, Jr. 26,003 32,858 Brian P. O=Shaughnessy Kenneth B. Leffler 32,747 Alan E. Kopecki 25,813 B. Jefferson Boggs, Jr. 32,344 36,075 Regis E. Slutter Samuel C. Miller, III William H. Benz 26,999 Fred W. Hathaway Wendi L. Weinstein 25,952 32,236 Peter K. Skiff Richard J. McGrath 27,360 34,456 Robert G. Mukai 28,531 29,195 Mary Ann Dillahunty 34,576 George A. Hovanec, Jr. Matthew L. Schneider James A. LaBarre 28,632 Michael G. Savage E. Joseph Gess Gerald F. Swiss 30.113 R. Danny Huntington Charles F. Wieland III

and: Malcolm K. McGowan, Ph.D., Reg. No. 39,300

Address all correspondence to:

Teresa Stanek Rea, Esq.

BURNS, DOANE, SWECKER & MATHIS, L.L.P. P.O. Box 1404 Alexandria, Virginia 22313-1404

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false state-ments and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

### COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY (CONT'D) (Includes Reference to Provisional and PCT International Applications)

Attorney's Docket No. 031998-007

FILL MANE OF COLE OF FIRST PROPERTY			
FULL NAME OF SOLE OR FIRST INVENTOR Gregory D. MAY	SIGNATURE		DATE
RESIDENCE Ardmore, Oklahoma	<u> </u>	CITIZENSHIP U.S.	
POST OFFICE ADDRESS 312 F Street S.W., Ardmore, Oklahoma 73401			
FULL NAME OF SECOND JOINT INVENTOR, IF ANY Stephanie K. CLENDENNEN	SIGNATURE		DATE
RESIDENCE Portland, Oregon	<u> </u>	CITIZENSHIP U.S.	<u> </u>
POST OFFICE ADDRESS 8640 S.W., 89 <sup>th</sup> Avenue, Portland, Oregon 97223			
FULL NAME OF THIRD JOINT INVENTOR, IF ANY Hugh S. MASON	SIC VATURE	Bu	DATE/
RESIDENCE Ithaca, New York	The Contract of the Contract o	CITIZENSHIP U.S.	<u> </u>
POST OFFICE ADDRESS 1311 Hanshaw Road, Ithaca, New York 14850	,	<u>L</u>	
FULL NAME OF FOURTH JOINT INVENTOR, IF ANY Miguel a. GOMEZ LIM	SIGNATURE		DATE
RESIDENCE Guanajuato, Mexico		CITIZENSHIP Mexican	
POST OFFICE ADDRESS . Roma 186, Lomas del Pedregal, Irapuato, Guanajuato, Mexico	36670		
FULL NAME OF FIFTH JOINT INVENTOR, IF ANY Charles J. ARNTZEN	SIGNATURE		DATE
RESIDENCE Mesa, Arizona		CITIZENSHIP U.S.	i
POST OFFICE ADDRESS 88 Leisure World, Mesa, Arizona 85206			, ,

## COMBINED DECLARATION FOR PATENT APPLICATION & POWER OF ATTORNEY (Includes Referenc to Provisional and PCT International Applications) Suppl mental Sheet

Attorney's Docket No. 031998-007

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## COMBINED DECLARATION FOR PATENT APPLICATION & POWER OF ATTORNEY (Includes R f rence to Provisi nal and PCT Int rnational Applications) Supplemental Sheet

Attorney's Docket No. 031998-007

Gregory D. MAY  RESIDENCE  Ardmore, Oklahoma  POST OFFICE ADDRESS  312 F Street S.W., Ardmore, Oklahoma 73401  FULL NAME OF SECOND JOINT INVENTOR, IF ANY  Stephanie K. CLENDENNEN  RESIDENCE  POST OFFICE ADDRESS  8640 S.W., 89th Avenue, Portland, Oregon 97223  FULL NAME OF THIRD JOINT INVENTOR, IF ANY  Lus.  DATE  DATE  CITIZENSHIP  U.S.  DATE  DATE  DATE  DATE  CITIZENSHIP  U.S.  DATE  DATE  DATE  DATE  DATE  DATE  DATE  CITIZENSHIP  U.S.  DATE  CITIZENSHIP  U.S.  DATE	FULL NAME OF SOLE OR FIRST INVENTOR	SIGNATURE		T
RESIDENCE Ardmore, Oklahoma POST OFFICE ADDRESS  312 F Street S.W., Ardmore, Oklahoma 73401 FULL NAME OF SECOND JOINT INVENTOR, IF ANY SIGNATURE DATE  CITIZENSHIP U.S.  CITIZENSHIP U.S.  DATE  CITIZENSHIP U.S.  DATE  CITIZENSHIP U.S.  POST OFFICE ADDRESS  8640 S.W., 89th Avenue, Portland, Oregon 97223 FULL NAME OF THIRD JOINT INVENTOR, IF ANY Hugh S. MASON RESIDENCE U.S.  CITIZENSHIP U.S.  CITIZENSHIP U.S.  DATE  CITIZENSHIP U.S.  DATE  CITIZENSHIP U.S.  CITIZENSHIP U.S.  DATE  CITIZENSHIP Mexican  DATE  CITIZENSHIP Mexican  DATE  CITIZENSHIP Mexican  DATE  CITIZENSHIP Mexican  DATE  CITIZENSHIP U.S.  CITIZENSHIP Mexican  DATE  CITIZENSHIP U.S.  CITIZENSHIP Mexican  DATE  CITIZENSHIP U.S.  CITIZENSHIP U.S		SIGNATURE		DATE
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312 F Street S.W., Ardmore, Oklahoma 73401  FULL NAME OF SECOND JOINT INVENTOR, IF ANY Stephanie K. CLENDENNEN  RESIDENCE PORT OFFICE ADDRESS  8640 S.W., 89th Avenue, Portland, Oregon 97223  FULL NAME OF THIRD JOINT INVENTOR, IF ANY SIGNATURE DATE  Hugh S. MASON  RESIDENCE CITIZENSHIP U.S.  POST OFFICE ADDRESS  1311 Hanshaw Road, Ithaca, New York 14850  FULL NAME OF FOURTH JOINT INVENTOR, IF ANY SIGNATURE DATE  Wiguel a. GOMEZ LIM RESIDENCE Guanajuato, Mexico POST OFFICE ADDRESS  Roma 186, Lomas del Pedregal, Irapuato, Guanajuato, Mexico 36670  FULL NAME OF FIFTH JOINT INVENTOR, IF ANY SIGNATURE  DATE  CITIZENSHIP Mexican  DATE  DATE  DATE  CITIZENSHIP Mexican  DATE  CITIZENSHIP Mexican  DATE  CITIZENSHIP Mexican  DATE  CITIZENSHIP  Mexican  DATE  CITIZENSHIP  Mexican  DATE  CITIZENSHIP  Mexican  DATE  CITIZENSHIP  Mexican  DATE  CITIZENSHIP  Mexican  DATE  CITIZENSHIP  Mexican  DATE  CITIZENSHIP  Mexican  DATE  CITIZENSHIP  Mexican  DATE  CITIZENSHIP  Mexican  DATE  CITIZENSHIP  Mexican  DATE  CITIZENSHIP  Mexican  DATE  CITIZENSHIP  Mexican  DATE  CITIZENSHIP  Mexican  CITIZENSHIP  Mexican  DATE  CITIZENSHIP  Mexican  CITIZENSHIP  Mexican  DATE  Mexican  DATE  Miguel A. ARNTZEN  RESIDENCE  Mexican  CITIZENSHIP  Mexican  DATE  Miguel A. ARNTZEN  Mexican  CITIZENSHIP  Mexican  DATE  Miguel A. ARNTZEN  Mexican  Mexican  DATE  Miguel A. ARNTZEN  Mexican  Mexican  Mexican  Mexican  Mexican			U.S.	
FULL NAME OF SECOND JOINT INVENTOR, IF ANY  SIGNATURE  DATE  SIGNATURE  DATE  CITIZENSHIP  PORTIAND, Oregon  POST OFFICE ADDRESS  8640 S.W., 89th Avenue, Portland, Oregon 97223  FULL NAME OF THIRD JOINT INVENTOR, IF ANY  Hugh S. MASON  RESIDENCE  Ithaca, New York  POST OFFICE ADDRESS  1311 Hanshaw Road, Ithaca, New York 14850  FULL NAME OF FOURTH JOINT INVENTOR, IF ANY  Miguel a. GOMEZ LIM  RESIDENCE  Guanajuato, Mexico  POST OFFICE ADDRESS  Roma 186, Lomas del Pedregal, Irapuato, Guanajuato, Mexico 36670  FULL NAME OF FIFTH JOINT INVENTOR, IF ANY  SIGNATURE  CITIZENSHIP  Mexican  DATE  DATE  CITIZENSHIP  Mexican  DATE  CITIZENSHIP  Mexican  DATE  CITIZENSHIP  JULI NAME OF FIFTH JOINT INVENTOR, IF ANY  Charles J. ARNTZEN  RESIDENCE  SUPERSTITE ON  CITIZENSHIP  JULI NAME OF FIFTH JOINT INVENTOR, IF ANY  CHARLES J. ARNTZEN  RESIDENCE  SUPERSTITE ON  CITIZENSHIP  JULI NAME OF FIFTH JOINT INVENTOR, IF ANY  CHARLES J. ARNTZEN  RESIDENCE  SUPERSTITE ON  CITIZENSHIP  JULI NAME OF FIFTH JOINT INVENTOR, IF ANY  CITIZENSHIP  JULI NAME OF FIFTH JOINT INVENTOR, IF ANY  CITIZENSHIP  JULI NAME OF FIFTH JOINT INVENTOR, IF ANY  CITIZENSHIP  JULI NAME OF FIFTH JOINT INVENTOR, IF ANY  CITIZENSHIP  JULI NAME OF FIFTH JOINT INVENTOR, IF ANY  CITIZENSHIP  JULI NAME OF FIFTH JOINT INVENTOR, IF ANY  CITIZENSHIP  JULI NAME OF FIFTH JOINT INVENTOR, IF ANY  CITIZENSHIP  JULI NAME OF FIFTH JOINT INVENTOR, IF ANY  CITIZENSHIP  JULI NAME OF FIFTH JOINT INVENTOR, IF ANY  SIGNATURE  TO SIGNATURE  CITIZENSHIP  JULI NAME OF FIFTH JOINT INVENTOR, IF ANY  SIGNATURE  JULI NAME OF FIFTH JOINT INVENTOR, IF ANY  SIGNATURE  JULI NAME OF FIFTH JOINT INVENTOR, IF ANY  SIGNATURE  JULI NAME OF FIFTH JOINT INVENTOR, IF ANY  JULI NAME OF FIFTH JOINT INVENTOR, I			,	
Stephanie K. CLENDENNEN  RESIDENCE  Porland, Oregon  POST OFFICE ADDRESS  8640 S.W., 89th Avenue, Portland, Oregon 97223  FULL NAME OF THIRD JOINT INVENTOR, IF ANY  Hugh S. MASON  RESIDENCE  Ithaca, New York  POST OFFICE ADDRESS  1311 Hanshaw Road, Ithaca, New York 14850  FULL NAME OF FOURTH JOINT INVENTOR, IF ANY  Miguel a. GOMEZ LIM  RESIDENCE  Guanajuato, Mexico  POST OFFICE ADDRESS  Roma 186, Lomas del Pedregal, Irapuato, Guanajuato, Mexico 36670  FULL NAME OF FIFTH JOINT INVENTOR, IF ANY  Charles J. ARNTZEN  RESIDENCE  CITIZENSHIP  Mexican  DATE  DATE  DATE  DATE  CITIZENSHIP  Mexican  DATE  Mexica	FULL NAME OF SECOND JOINT INVENTOR IF ANN	1		
RESIDENCE Portland, Oregon POST OFFICE ADDRESS  8640 S.W., 89th Avenue, Portland, Oregon 97223 FULL NAME OF THIRD JOINT INVENTOR, IF ANY Hugh S. MASON RESIDENCE CITIZENSHIP Ithaca, New York POST OFFICE ADDRESS 1311 Hanshaw Road, Ithaca, New York 14850 FULL NAME OF FOURTH JOINT INVENTOR, IF ANY Miguel a. GOMEZ LIM RESIDENCE Guanajuato, Mexico POST OFFICE ADDRESS Roma 186, Lomas del Pedregal, Irapuato, Guanajuato, Mexico 36670 FULL NAME OF FIFTH JOINT INVENTOR, IF ANY SIGNATURE  DATE  CITIZENSHIP Mexican  DATE  CITIZENSHIP U.S.  DATE		SIGNATURE		DATE
POST OFFICE ADDRESS  8640 S.W., 89th Avenue, Portland, Oregon 97223  FULL NAME OF THIRD JOINT INVENTOR, IF ANY  Hugh S. MASON  RESIDENCE  Ithaca, New York  POST OFFICE ADDRESS  1311 Hanshaw Road, Ithaca, New York 14850  FULL NAME OF FOURTH JOINT INVENTOR, IF ANY  Miguel a. GOMEZ LIM  RESIDENCE  Guanajuato, Mexico  POST OFFICE ADDRESS  Roma 186, Lomas del Pedregal, Irapuato, Guanajuato, Mexico 36670  FULL NAME OF FIFTH JOINT INVENTOR, IF ANY  Charles J. ARNTZEN  RESIDENCE  CITIZENSHIP  Mexican  DATE  DATE  DATE  CITIZENSHIP  Mexican  DATE  CITIZENSHIP  Mexican  DATE  CITIZENSHIP  Mexican  DATE  CITIZENSHIP  U.S.  CITIZENSHIP  U.S.  DATE  LUL NAME OF FIFTH JOINT INVENTOR, IF ANY  CITIZENSHIP  U.S.  POST OFFICE ADDRESS  TOTAL  SUPPOST I fon			T	
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Ithaca, New York  POST OFFICE ADDRESS  1311 Hanshaw Road, Ithaca, New York 14850  FULL NAME OF FOURTH JOINT INVENTOR, IF ANY  Miguel a. GOMEZ LIM  RESIDENCE  Guanajuato, Mexico  POST OFFICE ADDRESS  Roma 186, Lomas del Pedregal, Irapuato, Guanajuato, Mexico 36670  FULL NAME OF FIFTH JOINT INVENTOR, IF ANY  Charles J. ARNTZEN  RESIDENCE  Superstition Mountain,  RESIDENCE Superstition Mountain,  POST OFFICE ADDRESS  ROMA ARIZONA  POST OFFICE ADDRESS  HOLL Wildernass  Trail, Superstition				
Ithaca, New York  POST OFFICE ADDRESS  1311 Hanshaw Road, Ithaca, New York 14850  FULL NAME OF FOURTH JOINT INVENTOR, IF ANY  Miguel a. GOMEZ LIM  RESIDENCE  Guanajuato, Mexico  POST OFFICE ADDRESS  Roma 186, Lomas del Pedregal, Irapuato, Guanajuato, Mexico 36670  FULL NAME OF FIFTH JOINT INVENTOR, IF ANY  Charles J. ARNTZEN  RESIDENCE  SUPERSTITION  Messa, Arizona  POST OFFICE ADDRESS  ROMATURE  CITIZENSHIP  U.S.  CITIZENSHIP  U.S.  CITIZENSHIP  U.S.  SUPERSTITION  CITIZENSHIP  U.S.  POST OFFICE ADDRESS  TOSL  SUPERSTITION	RESIDENCE		CITIZENSHIP	
POST OFFICE ADDRESS  1311 Hanshaw Road, Ithaca, New York 14850  FULL NAME OF FOURTH JOINT INVENTOR, IF ANY  Miguel a. GOMEZ LIM  RESIDENCE  Guanajuato, Mexico  POST OFFICE ADDRESS  Roma 186, Lomas del Pedregal, Irapuato, Guanajuato, Mexico 36670  FULL NAME OF FIFTH JOINT INVENTOR, IF ANY  Charles J. ARNTZEN  RESIDENCE  RESIDENCE  Superstition Mountain,  Messa, Arizona  Arizona  POST OFFICE ADDRESS  7686 E. Wildernass Trall, Superstition			11.6	
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COMBINED DECLARATION FOR THE		•	
JUN 1 2 2003 (Includes Reference to Provisional and P Supplemental FULL NAME OF SOLE OR FIRST INVENTION		ATTORNEY atlone)	Attorney's Docket No
The recent of			031998-007
FULL NAME OF SOLE OR FIRST INVENTOR			
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Gregory D. MAY RESIDENCE			DATE
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Ardmore, Oklahoma POST OPFICE ADDRESS		U.S.	
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312 F Street S.W., Ardmore, Oklahoma 73401	•		
FULL NAME OF SECOND JOINT INVENTOR, IF ANY	SIGNATURE		DATE
Stephanie K. CLENDENNEN			DATE
RESIDENCE		CITIZENSHIP	
Portland, Oregon	•	1	
POST OFFICE ADDRESS		U.S.	
8640 S.W., 89th Avenue, Portland, Oregon 97223		,	
FULL NAME OF THIRD JOINT INVENTOR, IF ANY	SIGNATURE		
Hugh S. MASON			DATE
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1311 Hanshaw Road, Ithaca, New York 14850	,		
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### COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY Applications (Company)

Attorney's Docket No. 031998-007

As a below named inventor, I hereby declare that:

The post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention

	sted below) of the subject matter which		nt is sought on the invention
DNA REGULATORY	Y ELEMENTS ASSOCIATED WITH I	FRUIT DEVELOPMENT	
the specificat	ion of which (check only one item below	w):	
☐ is attac	hed hereto.		
☑ was file	ed as United States application	•	
	r Continuation-In-Part of 09/160,351		
on <u>Ju</u>	ne 28, 2001		
	s amended		
on	June 28, 2001	(if applicable).	
☐ was file	d as PCT international application		
	- uppromion		
on			
	amended		
I hereby state that I has as amended by any am	we reviewed and understand the content endment referred to above.	s of the above-identified specific	cation, including the claims,
I acknowledge the duty Title 37, Code of Fede	to disclose to the Office all informational Regulations, §1.56.	n known to me to be material to	patentability as defined in
United States of Ameri certificate or any PCT	priority benefits under Title 35, United tificate or of any PCT international appear listed below and have also identified international application(s) designating a subject matter having a filing date before.	below any foreign application(s	ne country other than the ) for patent or inventor's
PRIOR FOREIGN/PCT	APPLICATION(S) AND ANY PRIO	RITY CLAIMS UNDER 35 U	.S.C. §119:
COUNTRY (if PCT, indicate "PC		DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 35 U.S.C. §119
			_Yes _No
			_Yes _No
			YesNo
			_ Yes _ No
			YesNo
hereby claim the bene- below.	fit under Title 35, United States Code §	119(e) of any United States pro	
60/060	,062	September 25, 1997	
	ation Number)	(Filing Date)	<del></del>
(Applica	ution Number)	(Filing Date)	<del></del>

#### COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY (CONT'D) (Includes Reference to Pr visional and PCT Internati nal Applications)

Attorney's Docket No.

031998-007

I hereby claim the benefit under Title 35, United States Code, §120 of any United States applications(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose to the Office all information known to me to be material to the patentability as defined in Title 37, Code of Federal Regulations §1.56, which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

ATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. §120:

U.S. APPLICATIONS				STATUS (check one)		
U.S. APPLICATION NUMBER		U.S. FILING DATE	PATENTED	PENDING	ABANDONED	
09/160,351		September 25, 1998		X		
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PCT A	PPLICATIONS DESIGNATIN	IG THE U.S.				
PCT APPLICATION NO. PCT FILING DATE		U.S. APPLICATION NUMBERS ASSIGNED (if any)			<u> </u>	

I hereby appoint the following attorneys and agent(s) to prosecute said application and to transact all business in the Patent and Trademark Office connected therewith and to file, prosecute and to transact all business in connection with international applications directed to said invention:

William L. Mathis Robert S. Swecker Platon N. Mandros Benton S. Duffett, Jr. Norman H. Stepno Ronald L. Grudziecki Frederick G. Michaud, Jr. Alan E. Kopecki Regis E. Slutter Samuel C. Miller, III Robert G. Mukai	17,337 19,885 22,124 22,030 22,716 24,970 26,003 25,813 26,999 27,360 28,531	Eric H. Weisblatt James W. Peterson Teresa Stanek Rea Robert E. Krebs William C. Rowland T. Gene Dillahunty Patrick C. Keane B. Jefferson Boggs, Jr. William H. Benz Peter K. Skiff Richard J. McGrath Matthew L. Schneider	30,505 26,057 30,427 25,885 30,888 25,423 32,858 32,344 25,952 31,917 29,195 32,814	Bruce T. Wieder Todd R. Walters Ronni S. Jillions Harold R. Brown III Allen R. Baum Steven M. duBois Brian P. O'Shaughnessy Kenneth B. Leffler Fred W. Hathaway Wendi L. Weinstein Mary Ann Dillahunty	33,815 34,040 31,979 36,341 36,086 35,023 32,747 36,075 32,236 34,456 34,576
George A. Hovanec, Jr.	28,223	Matthew L. Schneider Michael G. Savage	32,596		
James A. LaBarre	28,632 28,510	Gerald F. Swiss	30,113	21839	
E. Joseph Gess	20,510		22.006		

and: Malcolm K. McGowan, Ph.D., Reg. No. 39,300

Address all correspondence to:

R. Danny Huntington

21839

Teresa Stanek Rea, Esq.

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

33.096

P.O. Box 1404

Charles F. Wieland III

Alexandria, Virginia 22313-1404

Address all telephone calls to: Malcolm K. McGowan, Ph.D.

27,903

at (703) 836-6620.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.